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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) C2432.0069	
In re Application of Ludger Grote et al.			
Application Number 10/598,114-Conf. #1212		Filed July 3, 2007	
For <b>METHOD OF TREATING AND DIAGNOSING SLEEP DISORDERED BREATHING AND MEANS FOR CARRYING OUT THE METHOD</b>			
Art Unit 1617		Examiner S. Javanmard	

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 540.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_\_

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2215.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: INFORMATION ON THIS FORM MAY BECOME PUBLIC. CREDIT CARD INFORMATION SHOULD NOT BE INCLUDED ON THIS FORM. PROVIDE CREDIT CARD INFORMATION AND AUTHORIZATION ON PTO-2038.**

I am the

<input type="checkbox"/> applicant /inventor.	<u>/Edward A. Meilman/</u>
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Signature</u>
<input type="checkbox"/> attorney or agent of record. Registration number <u>24,735</u>	<u>Edward A. Meilman</u>
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	<u>Typed or printed name</u>
<input type="checkbox"/> _____	<u>(212) 277-6520</u>
<input type="checkbox"/> _____	<u>Telephone number</u>
<input type="checkbox"/> _____	<u>May 28, 2009</u>
<input type="checkbox"/> _____	<u>Date</u>

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

<input type="checkbox"/> *Total of <u>1</u> forms are submitted.
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: May 28, 2009

Electronic Signature for Edward A. Meilman: /Edward A. Meilman/